

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD CATHERINE,
Plaintiff,

v.

WELLS FARGO BANK, NA,
Defendant.

No. 2:23-cv-02733-DAD-JDP (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING
PLAINTIFF'S MOTION TO REMAND, AND
REMANDING THIS ACTION TO THE
SACRAMENTO COUNTY SUPERIOR
COURT

(Doc. Nos. 4, 8, 21)

Plaintiff Donald Catherine is proceeding *pro se* in this civil action. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 17, 2024, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion to remand this action back to the Sacramento County Superior Court (Doc. No. 8) be granted because this court lacks subject matter jurisdiction over this action and that defendant's motion to dismiss (Doc. No. 4) be denied as having been rendered moot. (Doc. No. 21.) The findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 6.) To date, no objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

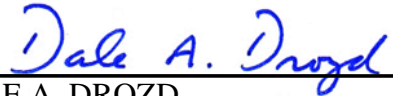
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
3 findings and recommendations are supported by the record and by proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on July 17, 2024 (Doc. No. 21) are
6 adopted in full;
- 7 2. Plaintiff's motion to remand (Doc. No. 8) is granted;
- 8 3. This action is remanded to the Sacramento County Superior Court due to this
9 court's lack of subject matter jurisdiction;
- 10 4. Defendant's motion to dismiss this action (Doc. No. 4) is denied as having been
11 rendered moot by this order; and
- 12 5. The Clerk of the Court is directed to close this case.

13 IT IS SO ORDERED.

14 Dated: August 6, 2024

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16 DALE A. DROZD
17 UNITED STATES DISTRICT JUDGE
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